## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHER DISTRICT OF TEXAS FORT WORTH DIVISION

HOBBY DISTILLERS ASSOCIATION, et al.,	
Plaintiffs,	
v.	Case No. 4:23-cv-01221-P
ALCOHOL AND TOBACCO TAX AND	Case 140. 4.25-CV-01221-1
TRADE BUREAU, et al.,	
Defendants.	

## **UNOPPOSED MOTION TO FILE SUR-REPLY**

Defendants respectfully submit this unopposed motion to file a 10-page sur-reply in response to Plaintiffs' motion for preliminary injunction. The anticipated sur-reply will address statements made and authorities cited in Plaintiffs' reply brief, as well as the new evidentiary materials submitted by Plaintiffs in their appendix to that brief. Defendants respectfully request leave to file their sur-reply on or before <u>April 8, 2024</u>.

## **CERTIFICATE OF CONFERENCE**

Defendants have conferred with Plaintiffs' counsel, and Plaintiffs do not oppose this motion.

Dated: April 1, 2024 Respectfully submitted,

BRIAN M. BOYNTON Principal Deputy Assistant Attorney General

DIANE KELLEHER Assistant Director, Federal Programs Branch

/s/

ELIZABETH TULIS
HANNAH M. SOLOMON-STRAUSS
ANNA DEFFEBACH
Trial Attorneys
Federal Programs Branch
U.S. Department of Justice, Civil Division
1100 L St. NW
Washington, DC 20005

Tel:

Fax: (202) 616-8470

E-mail:

Counsel for the Defendants